IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE SRI BILAL NAZKI

AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT APPEAL Nos. 160, 169, 196, 278, 352, 455, 489, 490, 750 and 763 of 2005

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WRIT APPEAL No.160 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.18664 OF 2004 on the file of the High Court.)

Between:
A. Appa Rao, s/o Bulli Raju,
Nagulapalli PACS, U.Kothapalli Mandal, E.G.District.

..... APPELLANT

AND

1 The Government of A.P., rep., by its Secretary, Agriculture and Cooperation Department, Secretariat, Hyderabad.
2 The Commissioner for Cooperation/Registrar of Cooperative Societies, Govt. of A.P., Hyderabad.
3 The District Cooperative Officer, East Godavari District at Kakinada.
4 The Divisional Cooperative Officer, Kakinada, East Godavari District.
5 S.J.Benjimen, Chairperson, Nagulapalli PACS, Nagulapalli, U.Kothapalli Mandal, E.G.District and Superintendent of Housing O/o District Cooperative Officer, E.G.District at Kakinada.
6 M.Deva Prasad, Sale Officer, O/o SCDR/OSD, D.C.C.B., Kakinada, E.G.District.
7 K.K.Varma, Supervisor, D.C.C.Bank Ltd., Pithapuram, E.G.District.

.....RESPONDENTS

Counsel for the Appellant: MR.G.V.SHIVAJI

Counsel for the Respondent Nos. 1 to 4: GP FOR COOPERATION

Counsel for the Respondent Nos.5 to 7:

WRIT APPEAL No.169 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.12116 OF 2004 on the file of the High Court.)

Between:

K.Somasekhar Rao, S/o.Nagaiah
Occ: Agriculture and Chairman, Persons-in-Charge Committee,
Primary Agricultural Cooperative Society Limited, Ethonda,
R/o.Ethonda, Kotagiri Mandal, Nizamabad District.

..... APPELLANT

AND

1 The District Cooperative Officer/Joint Registrar of Cooperative Societies, Nizamabad District, Nizamabad.
2 The Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Gruhakalpa, MJ Road, Hyderabad.
3 Government of Andhra Pradesh rep. by its Secretary, Agriculture and Cooperation Department, Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.NANDIGAM KRISHNA RAO

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No.196 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.19181 OF 2004 on the file of the High Court.)

Between:

Kotaru Ramachandra Rao, S/o. Abbayya,
Kondalaraopalem, Pedavegi Mandal, West Godavari District.

..... APPELLANT

AND

1 The Government of Andhra Pradesh, Rep by its Secretary, Agriculture and Co-operative Department, Secretariat, Hyderabad.
2 The Registrar of Co-operative Societies/ Commissioner for Co-operation, Government of Andhra Pradesh, Gruhakalpa, Hyderabad.
3 The Joint Registrar of Co-operative Societies/ District Co-operative Officer, West Godavari District, Eluru.

.....RESPONDENTS

Counsel for the Appellant: MR.Y.V.SRINIVASAN

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No.278 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.14667 OF 2004 on the file of the High Court.)

Between:

Ch.Malla Reddy, S/o Bhoomaiah,
PIC, Primary Agricultural Cooperative Society Ltd, Arnakonda,
Choppadandi Mandal, Karimnagar District.

..... APPELLANT

AND

1 Primary Agricultural Cooperative Society Ltd, Arnakonda,
Choppdandi Mandal, Karimnagar District, rep. by its Secretary.
2 The Deputy Registrar of Cooperative Societies/ Divisional
Cooperative Officer, Karimnagar, Karimnagar District.
3 The Joint Registrar of Cooperative Societies/ The District
Cooperative Officer, Karimnagar, Karimnagar District.
4 The Registrar of Cooperative Societies/ Commissioner for
Cooperation, Government of Andhra Pradesh, Gruhakalpa,
Hyderabad.
5 The Government of Andhra Pradesh, rep. by its Secretary,
Agriculture and Cooperation Department, Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.NANDIGAM KRISHNA RAO

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No. 352 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.16538 OF 2004 on the file of the High Court.)

Between:

Tetali Venkat Reddy, S/o. Venkat Reddy,
Penumantra Village & Mandal, W.G.District.

..... APPELLANT

AND

1 The Government of Andhra Pradesh, Agriculture & Cooperation
Department, rep. by its Principal Secretary, Secretariat,
Hyderabad.
2 The Commissioner of Cooperation & Registrar of Coop- Societies,

A.P., Gruhaklpa Bldgs, Nampally, Hyderabad-1.
3 The Joint Registrar/District Coop Officer, Eluru, West Godavari District.
4 The Deputy Registrar of Cooperative Societies, Kovvur, West Godavari District.
5 The Secretary, Penumantra Primary Agricultural Coop Society Ltd., Penumantra Vill & Mandal, West Godavari District.
6 The Coop Sub Registrar/Sub-Divisional Coop Officer, Tanuku/Chairperson PIC Committee, Penumantra Agrl. Coop Society Ltd., Penumantra Village & Mandal, West Godavari District.

.....RESPONDENTS

Counsel for the Appellant: MR.D.V.BHADRAM

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No.455 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.16538 OF 2004 on the file of the High Court.)

Between:

1 Pasupuleti Satyanarayana, S/o. Satyam, R/o. Bhimadole - 534 425 West Godavari District.
2 K. Ramdass, S/o. Subba Rao, R/o. B C Colony, Bhimadole, West Godavari District.
3 S. Musalayya, S/o. Pothe Raju, R/o. Naredlagudem, Bhimadole, West Godavari District.

..... APPELLANTS

AND

1 The Government of Andhra Pradesh, Agriculture & Cooperation Department, Represented by its Principal Secretary, Secretariat, Hyderabad.
2 The Commissioner for Cooperation & Registrar of Coo. Societies, AP Gruhakalpa Buildings, Nampally, Hyderabad.
3 The Joint Registrar/District Coop Officer, Eluru, West Godavari District.
4 The Deputy Registrar of Cooperative Societies, Eluru, West Godavari District.
5 The Branch Manager, District Coop Central Bank Ltd. Bhimadole/PIC Farmers Service Coop Society Ltd. R.No. 10087 Bhimadole, West Godavari District.
6 The Senior Inspector / A No. II, T P Gudem, Member PIC Bhimadole Farmers Service Coop Society Ltd. Bhimadole, West Godavari District.
7 The Supervisor, District Coop. Central Bank Ltd. Member PIC Bhimadole Farmers Service Coop Society Ltd. Bhimadole, West Godavari District.

8 Bhimadole Farmers Service Coop Society Ltd. R.No. 10087
Bhimadole, West Godavari District, Rep by its Secretary.

.....RESPONDENTS

Counsel for the Appellant: MR.D.V.BHADRAM

Counsel for the Respondent Nos.1 to 4: GP FOR COOPERATION

Counsel for the Respondent Nos.5 to 8:

WRIT APPEAL No.489 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in W.P.No.12877 OF 2004 on the file of the High Court.)

Between:

T. Yella Reddy, S/o Govinda Reddy,
Persons-in-Charge Committee, Primary Agricultural Co-operative Society Ltd, Durshed, R/o Durshed, Karimnagar Mandal,
Karimnagar District.

..... APPELLANT

AND

1 The Divisional Co-operative Officer, Karimnagar,
Karimnagar District.
2 The District Co-operative Officer/Joint Registrar of Co-operative Societies, Karimnagar District, Karimnagar.
3 The Commissioner for Co-operation and Registrar of Co-operative Societies, A.P. Gruhakalpa, M.J. Road, Hyderabad.
4 Government of Andhra Pradesh, rep. by its Secretary, Agriculture and Co-operation Department, Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.NANDIGAM KRISHNA RAO

Counsel for the Respondents: GP FOR COOPERATION

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WRIT APPEAL No. 490 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.17049 OF 2004 on the file of the High Court.)

Between:

Mohd Razak, S/o. Saheb Hussaian,
Persons in Charge Committee, The PACS Narayanpur,
R/o Ryalapalli, Gangadhara Mandl, Karimnagar District.

..... APPELLANT

AND

1 Primary Agricultural Cooperative Society Ltd., Narayanapur, Gangadhara Mandal, Karimnagar, District, rep by Secretary.
2 The Deputy Registrar of Coopertive Societies/ Divisional Cooperative Officer, Karimnagar District, rep by Secretary.
3 The Joint Registrar of Cooperative Societies/ The District Cooperative Officer, Karimnagar, District, Karimnagar.
4 The Registrar of Cooperative Societies/ Commissioner for Coopertion, Government of A.P., Gruhakalpa, Hyderabad.
5 The Government of A.P., rep by Secretary Agriculture and Cooperation Department, Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.NANDIGAM KRISHNA RAO

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No.750 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 01/02/2005 in W.P. No.14668 OF 2004 on the file of the High Court.)

Between:

K. Purushotham S/o Mallaiah
Occ: Agriculture and Chairman, PIC Primary Agricultural Cooperative Society Ltd., Choppadandi, Choppadandi, Mandal, Karimnagar District.

..... APPELLANT

AND

1 Primary Agricultural Cooperative Society Ltd., Choppadandi Choppadandi Mandal, Karimnagar District rep by Secretary
2 The Deputy Registrar of Cooperative Societies/ Divisional Cooperative Officer, Karimnagar, Karimnagar District.
3 The Joint Registrar of Cooperative Societies/ District Cooperative Officer, Karimnagar, Karimnagar District .
4 The Registrar of Cooperative Societies/ Commissioner for Cooperation Government of Andhra Pradesh, Gruhakalpa, Hyderabad.
5 The Government of Andhra Pradesh rep by Secretary, Agriculture and Cooperation Department Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.NANDIGAM KRISHNA RAO

Counsel for the Respondents: GP FOR COOPERATION

WRIT APPEAL No.763 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 08/11/2004 in WP No.16114 OF 2004 on the file of the High Court.)

Between:

N. Thimma Reddy, S/o. N. Subba Reddy,
PIC of the Kalikiri Coop Rural Bank (PACS) Kalikiri, Kalikiri Mandal,
R/o. Nagaripalli, Kalikiri Mandal, Chittoor District.

..... APPELLANT

AND

1 The District Cooperative, Chittoor District.
2 The Deputy Registrar of Cooperative Societies/ Divisional Coooperative Officer, Mandanapalli, Chittoor District.
3 The Registrar of Cooperative Societies/ Commissioner for Cooperative, Govt. of A.P., Hyderabad.
4 The Government of A.P. rep by its Secretary, Agricultural and Cooperative Department, Secretariat, Hyderabad.

.....RESPONDENTS

Counsel for the Appellant: MR.SURESH KUMAR REDDY KALAVA

Counsel for the Respondents: GP FOR COOPERATION

The Court made the following :

ORAL JUDGMENT: (per Hon'ble Sri Bilal Nazki, Acting Chief Justice)

The controversy relates to the holding of elections to the Co-operative societies. It is an admitted fact that elections to these societies were held in June 2000, and for the last five years elections have not been conducted. There are certain incurable matters, but in view of the affidavit filed by the Principal Secretary to the Government on 7th of March 2005 that the elections shall be completed to all the Co-operative societies by the end of July 2005, we do not think it would be necessary for us to decide the incurable matters arising out of these appeals. Taking note of the undertaking given by the Principal Secretary, a Bench of this Court has already passed an order on 23-3-2005. The operative portion of the order is:

"Having regard to the averments made in the affidavit and the reasons stated therein, we consider it appropriate to extend the time as prayed for enabling the petitioners to hold the elections to the Primary Agricultural Co-operative Societies in the State by the end of July 2005."

The learned Government Pleader appearing for the respondents has reiterated the stand of the Government that the elections would be completed by the end of July 2005. Under these circumstances, it will serve no purpose to keep these appeals on board, which are accordingly disposed of directing the respondents to hold and complete the elections by the end of July 2005. Any violation of this order would be taken as an attempt to disobey the order and shall also be taken contrary to the undertaking given by the Principal Secretary by his affidavit on 7th of March 2005. It is made further clear that no application for extension of time shall be entertained on any ground whatsoever.

With these observations, the writ appeals are disposed of.

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(BILAL NAZKI, ACJ)

8th June 2005.

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(G.CHANDRAIAH, J.)

ARS

To

1 The Secretary, Government of A.P., Agriculture and

Cooperation Department, Secretariat, Hyderabad.
2 The Commissioner for Cooperation/Registrar of Cooperative Societies, Govt. of A.P., Hyderabad.
3 The District Cooperative Officer, East Godavari District at Kakinada.
4 The Divisional Cooperative Officer, Kakinada, East Godavari District.
5 The District Cooperative Officer/Joint Registrar of Cooperative Societies, Nizamabad District, Nizamabad.
6 The Secretary, Primary Agricultural Cooperative Society Ltd, Arnakonda, Choppdandi Mandal, Karimnagar District.
7 The Deputy Registrar of Cooperative Societies/ Divisional Cooperative Officer, Karimnagar, Karimnagar District.
8 The Joint Registrar of Co-operative Societies/ District Co-operative Officer, West Godavari District, Eluru.

9 The Principal Secretary, Government of Andhra Pradesh, Agriculture & Cooperation Department, Secretariat, Hyderabad.
10 The Joint Registrar/District Coop Officer, Eluru, West Godavari District.
11 The Deputy Registrar of Cooperative Societies, Kovvur, West Godavari District.
12 The Secretary, Penumantra Primary Agricultural Coop Society Ltd., Penumantra Vill & Mandal, West Godavari District.
13 The Coop Sub Registrar/Sub-Divisional Coop Officer, Tanuku/Chairperson PIC Committee, Penumantra Agrl. Coop Society Ltd., Penumantra Village & Mandal, West Godavari District.

14 The Deputy Registrar of Cooperative Societies, Eluru, West Godavari District.
15 The Branch Manager, District Coop Central Bank Ltd. Bhimadole/PIC Farmers Service Coop Society Ltd. R.No. 10087 Bhimadole, West Godavari District.
16 The Senior Inspector / A No. II, T P Gudem, Member PIC Bhimadole Farmers Service Coop Society Ltd. Bhimadole, West Godavari District.
17 The Supervisor, District Coop. Central Bank Ltd. Member PIC Bhimadole Farmers Service Coop Society Ltd. Bhimadole, West Godavari District.
18 The Secretary, Bhimadole Farmers Service Coop Society Ltd. R.No. 10087 Bhimadole, West Godavari District.

19 The Divisional Co-operative Officer, Karimnagar, Karimnagar District.
20 The Secretary, Primary Agricultural Cooperative Society Ltd., Narayanapur, Gangadhara Mandal, Karimnagar, District.
21 The Joint Registrar of Cooperative Societies/ The District Cooperative Officer, Karimnagar, District, Karimnagar
22 The Secretary, Primary Agricultural Cooperative Society Ltd., Choppadandi Choppadandi Mandal, Karimnagar District.
23 The District Cooperative, Chittoor District.
24 The Deputy Registrar of Cooperative Societies/ Divisional

Coooperative Officer, Mandanapalli, Chittoor District.
25 Two C.Cs to Govt. Pleader for Co-operation, High Court Bldgs.,

Hyderabad (OUT).

26 Two C.D. copies.

27 Sri S.J. Benjimen, Chairperson, Nagulapalli PACS, Nagulapalli,

U. Kothapalli Mandal, East Godavari Dist.

28 The Joint Registrar of Co-op. Societies/ The Dist.Co-op. Officer,

Karimnagar, Karimnagar Dist.